

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

SHEILA LONDON,

Plaintiff,

vs.

Civ. No. 10-229 WJ/RHS

LQ MANAGEMENT, LLC d/b/a LA QUINTA
INN & SUITES ALBUQUERQUE WEST,

Defendant.

**ORDER GRANTING IN PART EXPEDITED MOTION TO VACATE TRIAL
AND EXTEND DISCOVERY AND MOTION DEADLINES**

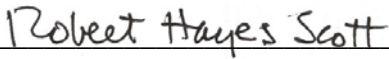
THIS MATTER comes before the court on Defendant LQ Management, LLC's ("La Quinta's") Expedited Motion to Vacate Trial and Extend Discovery and Motion Deadlines ("Motion to Vacate") [**Doc. 28**]. The Court has now considered the Motion to Vacate as well as Plaintiff's response thereto [**Doc. 29**] and La Quinta's reply [**Doc. 32**], as well as all of the pleadings on file in the above-captioned cause and hereby concludes that the motion is well-taken in part and should be granted in part.

The Court has no reason to conclude that La Quinta has not diligently engaged in discovery since the filing of this case. Plaintiff has seen nearly 40 medical providers, as indicated in Plaintiff's initial disclosures (at Exhibit D, attached to Motion to Vacate). It is unclear whether Plaintiff may call all or any of these providers at trial. The Court therefore concludes that it is reasonable for La Quinta to have sufficient time and opportunity to depose all of the relevant medical providers. La Quinta will need time to obtain medical records and depose relevant doctors as well as time to file motions after the completion of discovery. Therefore, for reasons stated, the Court concludes that Defendant's Motion to Vacate should be

granted as set forth below.

IT IS THEREFORE ORDERED that Defendant's Expedited Motion to Vacate Trial and Extend Discovery and Motion Deadlines [**Doc. 28**] is hereby **granted in part** as follows:

1. The July 2011 trial date is hereby **vacated** and will be reset at a future date in the discretion of the Trial Court; and
2. Case management deadlines will be reset following a scheduling conference; such conference to be set in a separate order.



ROBERT H. SCOTT
UNITED STATES MAGISTRATE JUDGE